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To all customers of CHEMETALL

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Global EHS Management &
Product Stewardship

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Effect of REACH and CLP regulations on products from CHEMETALL

Dear Sir or Madam,

Through this letter, CHEMETALL will provide you with general information and answers to your questions concerning REACH and CLP regulations.

Principal procedures

- + CHEMETALL GmbH and its subsidiaries (hereinafter referred to as “CHEMETALL”) are intensively working on the implementation of the requirements resulting from the REACH and CLP regulations.
- + CHEMETALL will comply with the REACH and CLP regulations, as it does for all other chemical legislations that are relevant to CHEMETALL's business. CHEMETALL will not use substances within its products which are not REACH compliant.
- + CHEMETALL will give legally binding statements which go beyond the content of this standard letter only in exceptional circumstances.
- + Some information, e.g. exact chemical identity and composition of our substances and preparations is confidential business information and may therefore not be communicated to our customers.

Registration

- + CHEMETALL has successfully registered all substances which have been identified for registration by 30 November 2010, 31 May 2013 and 31 May 2018. Substances requiring registration will continue to be registered in the future.
- + Registration of a substance by CHEMETALL will generally result in a revised Material Safety Data Sheet. You will find the REACH registration number in chapter 1 and/or 3 of the MSDS. **No additional communication of the registration number is legally required.**

- + Substances are only to be registered if they are produced and/or imported in quantities of ≥ 1 t/year. Many CHEMETALL products contain substances which are exempt from the REACH regulation, like natural substances, polymers, articles, reaction products, neutralisation products etc. Mixtures do not need to be registered. Therefore, CHEMETALL did not register every substance produced or sold.
- + For substances which CHEMETALL does not produce or import, but purchases, CHEMETALL will receive the registration numbers from our suppliers. You will find these registration numbers also in the updated Material Safety Data Sheet of the respective CHEMETALL product. **Please remark that producers or importers can also make use of exemptions from the REACH regulation. Hence, these companies are still legitimate suppliers even if their substances do not have a registration number.** In any case, by accepting our purchase order, our suppliers confirm that they will deliver REACH compliant raw materials.
- + The availability of the registration number of purchased raw materials is not considered a major change and will therefore not necessarily trigger an immediate update of the Material Safety Data Sheet. In addition, there may be several steps in the supply chain between registrant and all Downstream Users resulting in unavoidable delays in the communication of this information via the updated Material Safety Data Sheet.

SVHC substances – Substances of very high concern

- + The European Chemicals Agency (ECHA) publishes regular proposals to identify chemicals as Substances of Very High Concern (SVHC). The outcome of this process is a list of identified substances which are candidates for prioritization (the “Candidate List”). Substances on the Candidate List are possible candidates for authorization.
<https://echa.europa.eu/de/candidate-list-table>
- + The listing of a substance on the Candidate List does not automatically lead to authorization and gives no indication of the risks which might result from the use of the substance within the supply chain. Only if a candidate substance is then officially listed in Annex XIV of the REACH regulation, is the use of the substance liable to authorization after a certain transitional period.
- + As soon as the decision from ECHA on new candidate substances is officially published, CHEMETALL will check its products as to whether or not they contain these substances. If CHEMETALL products contain substances from the Candidate List, these substances will have already been listed in section 3 of the MSDS as hazardous ingredients, including information on the concentration in the mixture. These substances need only be listed in the MSDS where the concentration is above 0.1%. In addition, the substance is named in chapter 3 (for a transition period in chapter 15) as a substance of the candidate list. The same applies to the substances on the Authorisation List.
- + There is no additional requirement for further communication on SVHC substances to our customers.
- + Please understand that we will not give information before an official publication by ECHA.

Authorisation

- + The decision on the inclusion of a substance from the Candidate List on the Authorisation List (Annex XIV) will be published on the ECHA homepage.

<https://echa.europa.eu/de/authorisation-list>

- + CHEMETALL has set itself the goal of developing substitutes for those substances subject to authorization. If substitution is not possible, then for relevant, technically absolutely necessary uses, CHEMETALL will examine the possibility of approval application. CHEMETALL, however, cannot guarantee the granting of authorization by the authority.

Restriction

- + The substances that are subject to a restriction according to REACH Annex XVII are listed in chapter 15 of the MSDS. Please note that although they are listed in chapter 15, the products/applications do not have to be affected.

Safe Use within the lifecycle (CSA/CSR)

- + A Chemical Safety Report (CSR) has to be created for substances which require registration and are manufactured or imported above 10 tonnes per year.
- + Main elements of the CSR are exposure scenarios for identified uses. Within the exposure scenarios, the manufacturer or importer recommends risk reduction measures to downstream users. Identified uses have been collected in close co-operation with our customers and associations. The Use Descriptors according to ECHA Guidance R12 are being used.
- + For substances which have already been registered with ECHA by suppliers of CHEMETALL, any relevant exposure scenario is taken into consideration.
- + Please keep in mind that the communication of exposure scenarios in the annex of the extended safety data sheet (eSDB) applies currently mostly for single substances or single substances in aqueous solution. For mixtures the applicable risk reduction measures are communicated within the 16 sections of the safety data sheet. This is necessary because exposure scenarios are not always available for all substances in mixtures and contradictory or inappropriate information for the mixture from exposure scenarios of single substances should not be communicated.
- + If your uses are not sufficiently included within these standard exposure scenarios, please inform us. We strongly recommend that you report missing uses to us by referring to the listed ECHA Use Descriptors. This will help us to include missing uses into our use communication along the supply chain.
- + Please keep in mind that some specific Use Descriptors may be included in more generic ones.
- + Non-hazardous substances do not require a quantified detailed CSR, therefore a qualitative exposure assessment is sufficient.

- + Manufacturers and importers who place a hazardous substance on the market will also have to notify certain information to ECHA, in particular the substance identity and the classification and labelling of that substance, according to Article 40 of the CLP Regulation, which will be included in the Classification and Labelling Inventory.
- + CHEMETALL has already notified all relevant substances to the C&L Inventory by December 1st, 2010 and enhanced the notification as soon as new substances are manufactured/imported and placed on the market.
- + Changes in classification and labelling of notified substances trigger an update of the C&L Inventory notification.

Should you have regulatory questions, please address these to:

sds.global-chemetall@basf.com

Yours faithfully,

CHEMETALL GmbH



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